

Appl. No. 09/814,270
Amdt. Dated September 14, 2004
Reply to Office action of June 14, 2004
Attorney Docket No. P13307-US2
EUS/J/P/04-3205

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 1-2, 4, and 6-21; claims 3 and 23 have been canceled. Applicant respectfully submits no new matter has been added. Accordingly, Claims 1-2 and 4-22 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Examiner Objections – Drawings

The Drawings were objected to because in Figure 1, should be designated by a legend. In response, the Applicant is submitting "formal" replacement sheets. The Examiner's approval of these drawings is respectfully requested.

Examiner Objections – Specification

The specification was objected to because of informalities. The Applicant thanks the Examiner for his careful review of the specification. In response, the Applicant has modified the specification as suggested by the Examiner. The Examiner's consideration of the amendments to the specification is respectfully requested.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 1-3, 5-7, 9, 10, 13 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lupien, et al. (US 5,839,070 hereinafter Lupien) in view of Moore (US 6,501,951 hereinafter Moore). Claim 3 is canceled rendering the rejection of this claim moot. The Applicant respectfully traverses the rejection of the remaining claims.

Lupien appears to disclose a method and system for allowing a multi-hyperband capable mobile station to seamlessly operate in more than one frequency hyperband while roaming in a network. The system may be implemented with a plurality of hyperband-specific location and verification devices that operate in a different one of the plurality of frequency hyperbands. (Col. 3, lines 26-36).

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The Moore reference appears to disclose a method for re-selecting control channels by limiting evaluation of candidate control channels. The Detailed action draws a comparison between the claimed limitation of withholding notice of a neighboring second cell from a mobile station and the description of a mobile station scanning a neighbor list found in col. 2, line 65 - col. 3, line 5. However, the Applicant has reviewed this cited portion of Moore and finds no reference to withholding notice. Instead, the cited portion of Moore indicates a mobile station only having access to one private system. And, if that is the case, then Moore states that the attempt to re-select the private system fails and the control channel is removed from a neighbor list. Col. 2, lines 59-64 In the Moore reference indicates that the mobile station scans the neighbor list and marks any control channel that belongs to a private system that the mobile station cannot access. The present invention is different from Moore and the Applicant respectfully directs the attention of the Examiner to amended claim 1.

1. (Currently Amended) A method in a telecommunications network for downloading information to a mobile station operating in a location area comprised of cells having a first communication system and neighboring cells having a second communication system, comprising the steps of:
receiving a registration procedure request from said mobile station within a cell in said location area having the first communication system;
determining whether the selected mobile station is a multimode mobile station capable of communicating with both the first communication system and the second communication system;
responsive to the determination that the mobile station is a multimode mobile station, downloading a single bit to the multimode mobile station to provide notice of a neighboring cell, having a second communication system, wherein notice of the second communication system is not provided to any single mode mobile stations. (emphasis added)

In contrast to the teaching of the present invention, the references, Lupien and Moore either alone or in combination, do not disclose or suggest the above-emphasized limitation.

The Applicant's invention discloses a method for downloading data to a dual mode mobile station (MS) that is capable of communicating on two operating systems.

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For example, a dual mode MS while operating in a cell utilizing Global System for Mobile communications (GSM) is identified as a dual mode MS and the MS is signaled that a neighboring cell is a Universal Mobile Telecommunications Systems (UMTS) cell. In one embodiment, a single bit (or flag) is broadcast on the Broadcast Control Channel (BCCH) associated with the GSM cell to all the idle MS's in the cell. The flag provides notice that the GSM cell has a UMTS neighbor. A dual mode MS then sends a download request message to the network to trigger downloading UMTS neighboring cell information. (Page 8, line 22-Page 9, line 8). Single mode GSM MS's won't respond since they can't respond to the UMTS system and only dual mode MSs will receive the information pertaining to the UMTS cells (Page 7, lines 9-12). The Applicant's dual mode mobile station operates using different operating/communication systems.

The contrast between Lupien and the present invention is that the present invention operates with a multimode mobile station that utilizes different operating/communication systems, i.e., a GSM and a UMTS operating system. Lupien operates on different frequencies of the same operating system, i.e., 800 MHz and 1900 MHz. Moore is cited for withholding the notice of the neighboring second cell. In the present invention, notice is withheld in one embodiment. However, since a single mode MS is incapable of communicating with a different communication system, withholding the information from the single mode MS is moot. And, Moore does not supply the missing limitation, that of communicating using two operating systems.

Claims 2-3, 5-7, 9, 10, 13 and 21 depend from claim 1 and contain the same limitation as claim 1. The Applicant respectfully requests withdrawal of the rejection of claim 1-2, 5-7, 9, 10, 13 and 21.

Claims 4, 8, 11-12, 15-16, 18-20 and 22-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lupien, in view of Moore and further in view of Korpela (WO 99/01005, hereinafter Korpela). Claim 23 has been canceled rendering the rejection of this claim moot. The Applicant respectfully traverses the rejection of the remaining subject claims.

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Korpela appears to disclose a method for handover and cell re-selection. The particular passage noted by the Detailed Action indicates a mobile station receiving data transfer via a BCCH carrier. However, the passage on page 3, lines 13-15, goes on to state that the mobile station downloads, demodulates and decodes the BCCH transmission to determine if the mobile station can operate in the neighboring cell. In contrast to Korpela, though the present invention includes a flag (single bit) transfer via the BCCH, the primary aim of the present invention is to disturb the BCCH as little as possible. Korpela uses the BCCH to download information thus congesting the channel. The limitation of sending a single bit to signal that the mobile station can download appropriate data is not found or suggested in Lupien, Moore or Korpela. The limitations of amended claim 1 are found in the rejected dependent claims and the Applicant respectfully requests the withdrawal of the rejection of these claims.

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lupien, in view of Moore and further in view of Cudak et al. (US 5,862,452, hereinafter Cudak). The Applicant respectfully traverses the rejection of these claims.

Cudak does not supply the missing limitations cited in claim 1 and since claim 17 contains the same limitations, the Applicant respectfully asserts that Moore, Lupien and Cudak either individually or in combination do not teach the limitation of downloading a single bit to a multimode mobile station capable of operating in two communication systems.

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lupien, in view of Moore and further in view of Cudak et al. (US 5,862,452, hereinafter Cudak). The Applicant respectfully traverses the rejection of these claims.

Cudak does not supply the missing limitations cited in claim 1 and since claim 17 contains the same limitations, the Applicant respectfully asserts that Moore, Lupien and Cudak either individually or in combination do not teach the limitation of downloading a single bit to a multimode mobile station capable of operating in two communication systems.

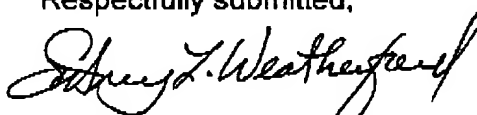
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CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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